

PRISONS & CORRECTIONS SECTION
Respectfully submits the following position on:

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HB 4206

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The Prisons & Corrections Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Prisons & Corrections Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Prisons & Corrections Section is 189.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 15. The number who voted in favor to this position was 11. The number who voted opposed to this position was 0. The number who abstained from voting was 1.

Report on Public Policy Position

Name of Section:

Prisons & Corrections Section

Contact person:

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Bill Number:

HB 4206 (Santana) Criminal procedure; youthful trainees; eligibility criteria for youthful trainee program; modify. Amends sec. 11, ch. II of 1927 PA 175 (MCL 762.11).

Date position was adopted:

December 6, 2014

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

11 Voted for position

0 Voted against position

1 Abstained from vote

3 Did not vote (absent)

Position:

Oppose and Amend

Explanation of the position, including any recommended amendments:

While the Section supports expanding the ages eligible for HYTA consideration, the Section opposes the bill in its current form as it infringes on the trial court's sentencing discretion by requiring prosecutorial consent for sentencing under HYTA for offenders between the ages of 21 and 24.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2013-HB-4206>